

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BIMBO BAKERIES USA, INC.

Plaintiff,

v.

CHRIS BOTTICELLA,

Defendant.

Civil Action No. 2:10-CV-00194-RBS

**PRAECIPE TO WITHDRAW DEFENDANT'S MOTION
TO SUPPLEMENT RECORD SO AS TO
CORRECT MISLEADING ARGUMENT**

TO THE CLERK:

Kindly withdraw Defendant Chris Botticella's Motion to Supplement Record So
As To Correct Misleading Argument, which was filed with the Court on February 4, 2010.

Respectfully submitted,

/s/ Elizabeth K. Ainslie

Elizabeth K. Ainslie (I.D. No. 35870)
SCHNADER, HARRISON SEGAL & LEWIS LLP
1600 Market Street, Suite 3600
Philadelphia, PA 19103
215-751-2000 (tel)
215-972-2205 (fax)

Dated: February 4, 2010

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Praecipe to Withdraw Defendant's Motion to Supplement Record So As to Correct Misleading Argument has been filed electronically and is available for viewing and downloading from the ECF system, and that the following counsel has consented to electronic service:

Michael L. Banks, Esquire
Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, Pennsylvania
Attorney for Plaintiff

_____/s/Elizabeth K. Ainslie
Elizabeth K. Ainslie
SCHNADER, HARRISON SEGAL & LEWIS LLP
1600 Market Street, Suite 3600
Philadelphia, PA 19103
215-751-2359 (tel)
215-751-2205 (fax)
Attorney for Defendant

February 4, 2010